

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANIEL JAY PEREZ,

Plaintiff,

V.

RICHARD MORGAN, et al..

Defendants

Case No. 3:16-cv-6023-RBL-TLF

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed plaintiff's first amended complaint, Defendant Guidry's second motion to dismiss, the Report and Recommendation of Magistrate Judge Theresa L. Fricke, and the remaining record, does hereby find and **ORDER**:

- 1) The Court adopts the Report and Recommendation [Dkt. #103].
- 2) Defendant Guidry's motion to dismiss [Dkt. #68] is **DENIED**.
- 3) This matter is **re-referred** to Magistrate Judge Theresa L. Fricke.
- 4) The Clerk is directed to send copies of this Order to plaintiff and to counsel for defendants.

DATED this 11th day of September, 2017.

Ronald B. Lightner

Ronald B. Leighton
United States District Judge